

SENATE BILL No. 299

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-13-1-22; IC 4-21.5-3-4; IC 12-17-2-34; IC 15-5-1.1; IC 23-1.5-1; IC 25-1; IC 31-14-12-5; IC 31-16-12-8; IC 33-1-16-3; IC 34-52-2-1.

Synopsis: Veterinary practice. Provides that the state veterinarian is the executive secretary of the board of veterinary medical examiners (the board). Transfers duties performed for the board by the health professions bureau and the attorney general. Requires the executive secretary and the board to administer the functions previously provided by the bureau and the attorney general. Provides that the board may enter into an agreement with the state board of animal health to use staff and facilities. Specifies the effect of delinquent property taxes, a criminal conviction, and delinquent child support on the status of a person's license or application. Provides for the enforcement of standards of practice. Makes conforming amendments and technical corrections.

Effective: July 1, 2004; July 1, 2005.

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January 8, 2004, read first time and referred to Committee on Health and Provider Services.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 299

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-13-1-22 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 22. (a) As used in this
3 section, "professional services" means the furnishing of services by any
4 of the following:

5 (1) A person licensed, certified, or registered under IC 15-5-1.1,
6 IC 25-2.1, or by any board listed in IC 25-1-5-3.

7 (2) An attorney.

8 (3) An expert witness, a court reporter, or an investigator retained
9 by the state in connection with judicial or administrative
10 proceedings involving the state.

11 (4) A minister, priest, rabbi, or another person empowered by the
12 person's religious faith to conduct religious services or to provide
13 spiritual counseling or guidance.

14 (5) A person who performs services, the satisfactory rendition of
15 which depends upon the person's unique training or skills.

16 (b) Before August 15 of each year, each state agency shall file with
17 the commissioner a report concerning the professional services

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contracts that:

- (1) were awarded by that state agency during the previous state fiscal year; and
- (2) were not procured through the Indiana department of administration.

(c) Before October 1 of each year, the commissioner shall compile and make available for public inspection a report concerning the professional services contracts awarded by each state agency during the preceding state fiscal year.

SECTION 2. IC 4-21.5-3-4, AS AMENDED BY P.L.184-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 4. (a) Notice must be given under this section concerning the following:

- (1) The grant, renewal, restoration, transfer, or denial of a license by the bureau of motor vehicles under IC 9.
 - (2) The grant, renewal, restoration, transfer, or denial of a noncommercial fishing or hunting license by the department of natural resources under IC 14.
 - (3) The grant, renewal, restoration, transfer, or denial of a license by a board described in IC 25-1-8-1.
 - (4) The grant, renewal, suspension, revocation, or denial of a certificate of registration under IC 25-5.2.
 - (5) A personnel decision by an agency.
 - (6) The grant, renewal, restoration, transfer, or denial of a license by the department of environmental management or the commissioner of the department under the following:
 - (A) Environmental management laws (as defined in IC 13-11-2-71) for the construction, installation, or modification of:
 - (i) sewers and appurtenant facilities, devices, or structures for the collection and transport of sewage (as defined in IC 13-11-2-200) or storm water to a storage or treatment facility or to a point of discharge into the environment; or
 - (ii) pipes, pumps, and appurtenant facilities, devices, or structures that are part of a public water system (as defined in IC 13-11-2-177.3) and that are used to transport water to a storage or treatment facility or to distribute water to the users of the public water system;
- where a federal, state, or local governmental body has given or will give public notice and has provided or will provide an opportunity for public participation concerning the activity that is the subject of the license.

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- 1 (B) Environmental management laws (as defined in
 2 IC 13-11-2-71) for the registration of a device or a piece of
 3 equipment.
 4 (C) IC 13-17-6-1 for a person to engage in the inspection,
 5 management, and abatement of asbestos containing material.
 6 (D) IC 13-18-11 for a person to operate a wastewater treatment
 7 plant.
 8 (E) IC 13-15-10 for a person to operate the following:
 9 (i) A solid waste incinerator or a waste to energy facility.
 10 (ii) A land disposal site.
 11 (iii) A facility described under IC 13-15-1-3 whose
 12 operation could have an adverse impact on the environment
 13 if not operated properly.
 14 (F) IC 13-20-4 for a person to operate a municipal waste
 15 collection and transportation vehicle.
 16 **(7) The grant, renewal, restoration, or denial of a license by**
 17 **the Indiana board of veterinary medical examiners described**
 18 **in IC 15-5-1.1.**
 19 (b) When an agency issues an order described by subsection (a), the
 20 agency shall give a written notice of the order to the following persons:
 21 (1) Each person to whom the order is specifically directed.
 22 (2) Each person to whom a law requires notice to be given.
 23 A person who is entitled to notice under this subsection is not a party
 24 to any proceeding resulting from the grant of a petition for review
 25 under section 7 of this chapter unless the person is designated as a
 26 party on the record of the proceeding.
 27 (c) The notice must include the following:
 28 (1) A brief description of the order.
 29 (2) A brief explanation of the available procedures and the time
 30 limit for seeking administrative review of the order under section
 31 7 of this chapter.
 32 (3) Any information required by law.
 33 (d) An order under this section is effective when it is served.
 34 However, if a timely and sufficient application has been made for
 35 renewal of a license described by subsection (a)(3) and review is
 36 granted under section 7 of this chapter, the existing license does not
 37 expire until the agency has disposed of the proceeding under this
 38 chapter concerning the renewal, unless a statute other than this article
 39 provides otherwise. This subsection does not preclude an agency from
 40 issuing under IC 4-21.5-4 an emergency or other temporary order with
 41 respect to the license.
 42 (e) If a petition for review of an order described in subsection (a) is

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1 filed within the period set by section 7 of this chapter and a petition for
 2 stay of effectiveness of the order is filed by a party or another person
 3 who has a pending petition for intervention in the proceeding, an
 4 administrative law judge shall, as soon as practicable, conduct a
 5 preliminary hearing to determine whether the order should be stayed in
 6 whole or in part. The burden of proof in the preliminary hearing is on
 7 the person seeking the stay. The administrative law judge may stay the
 8 order in whole or in part. The order concerning the stay may be issued
 9 after an order described in subsection (a) becomes effective. The
 10 resulting order concerning the stay shall be served on the parties and
 11 any person who has a pending petition for intervention in the
 12 proceeding. It must include a statement of the facts and law on which
 13 it is based.

14 SECTION 3. IC 12-17-2-34, AS AMENDED BY P.L.132-2001,
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2004]: Sec. 34. (a) When the Title IV-D agency finds that an
 17 obligor is delinquent and can demonstrate that all previous enforcement
 18 actions have been unsuccessful, the Title IV-D agency shall send, to a
 19 verified address, a notice to the obligor that includes the following:

- 20 (1) Specifies that the obligor is delinquent.
- 21 (2) Describes the amount of child support that the obligor is in
- 22 arrears.
- 23 (3) States that unless the obligor:
 - 24 (A) pays the obligor's child support arrearage in full;
 - 25 (B) requests the activation of an income withholding order
 - 26 under IC 31-16-15-2 and establishes a payment plan with the
 - 27 Title IV-D agency to pay the arrearage; or
 - 28 (C) requests a hearing under section 35 of this chapter;
 - 29 within twenty (20) days after the date the notice is mailed, the
 - 30 Title IV-D agency shall issue an order to the bureau of motor
 - 31 vehicles stating that the obligor is delinquent and that the
 - 32 obligor's driving privileges shall be suspended.
- 33 (4) Explains that the obligor has twenty (20) days after the notice
- 34 is mailed to do one (1) of the following:
 - 35 (A) Pay the obligor's child support arrearage in full.
 - 36 (B) Request the activation of an income withholding order
 - 37 under IC 31-16-15-2 and establish a payment plan with the
 - 38 Title IV-D agency to pay the arrearage.
 - 39 (C) Request a hearing under section 35 of this chapter.
- 40 (5) Explains that if the obligor has not satisfied any of the
- 41 requirements of subdivision (4) within twenty (20) days after the
- 42 notice is mailed, that the Title IV-D agency shall issue a notice to:

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- 1 (A) the board that regulates the obligor's profession or
- 2 occupation, if any, that the obligor is delinquent and that the
- 3 obligor may be subject to sanctions under IC 25-1-1.2,
- 4 including suspension or revocation of the obligor's
- 5 professional or occupational license;
- 6 (B) the supreme court disciplinary commission if the obligor
- 7 is licensed to practice law;
- 8 (C) the professional standards board as established by
- 9 IC 20-1-1.4 if the obligor is a licensed teacher;
- 10 (D) the Indiana horse racing commission if the obligor holds
- 11 or applies for a license issued under IC 4-31-6;
- 12 (E) the Indiana gaming commission if the obligor holds or
- 13 applies for a license issued under IC 4-33;
- 14 (F) the commissioner of the department of insurance if the
- 15 obligor holds or is an applicant for a license issued under
- 16 IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3; or
- 17 (G) the director of the department of natural resources if the
- 18 obligor holds or is an applicant for a license issued by the
- 19 department of natural resources under the following:
- 20 (i) IC 14-22-12 (fishing, hunting, and trapping licenses).
- 21 (ii) IC 14-22-14 (Lake Michigan commercial fishing
- 22 license).
- 23 (iii) IC 14-22-16 (bait dealer's license).
- 24 (iv) IC 14-22-17 (mussel license).
- 25 (v) IC 14-22-19 (fur buyer's license).
- 26 (vi) IC 14-24-7 (nursery dealer's license).
- 27 (vii) IC 14-31-3 (ginseng dealer's license).
- 28 (6) Explains that the only basis for contesting the issuance of an
- 29 order under subdivision (3) or (5) is a mistake of fact.
- 30 (7) Explains that an obligor may contest the Title IV-D agency's
- 31 determination to issue an order under subdivision (3) or (5) by
- 32 making written application to the Title IV-D agency within twenty
- 33 (20) days after the date the notice is mailed.
- 34 (8) Explains the procedures to:
- 35 (A) pay the obligor's child support arrearage in full;
- 36 (B) establish a payment plan with the Title IV-D agency to pay
- 37 the arrearage; and
- 38 (C) request the activation of an income withholding order
- 39 under IC 31-16-15-2.
- 40 (b) Whenever the Title IV-D agency finds that an obligor is
- 41 delinquent and has failed to:
- 42 (1) pay the obligor's child support arrearage in full;

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(2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or

(3) request a hearing under section 35 of this chapter within twenty (20) days after the date the notice described in subsection (a) is mailed;

the Title IV-D agency shall issue an order to the bureau of motor vehicles stating that the obligor is delinquent.

(c) An order issued under subsection (b) must require the following:

(1) If the obligor who is the subject of the order holds a driving license or permit on the date the order is issued, that the driving privileges of the obligor be suspended until further order of the Title IV-D agency.

(2) If the obligor who is the subject of the order does not hold a driving license or permit on the date the order is issued, that the bureau of motor vehicles may not issue a driving license or permit to the obligor until the bureau of motor vehicles receives a further order from the Title IV-D agency.

(d) The Title IV-D agency shall provide the:

(1) full name;

(2) date of birth;

(3) verified address; and

(4) Social Security number or driving license number;

of the obligor to the bureau of motor vehicles.

(e) When the Title IV-D agency finds that an obligor who is an applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed to:

(1) pay the obligor's child support arrearage in full;

(2) establish a payment plan with the Title IV-D agency to pay the arrearage or request the activation of an income withholding order under ~~IC 31-2-10-7~~, **IC 31-16-15-2**; or

(3) request a hearing under section 35 of this chapter;

the Title IV-D agency shall issue an order to the board regulating the practice of the obligor's profession or occupation stating that the obligor is delinquent.

(f) An order issued under subsection (e) must direct the board regulating the obligor's profession or occupation to impose the appropriate sanctions described under IC 25-1-1.2.

(g) When the Title IV-D agency finds that an obligor who is an attorney, **a veterinarian**, or a licensed teacher is delinquent and the attorney, **veterinarian**, or licensed teacher has failed to:

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- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage or request the activation of an income withholding order under IC 31-16-15-2; or

(3) request a hearing under section 35 of this chapter;
the Title IV-D agency shall notify the supreme court disciplinary commission if the obligor is an attorney, **the board of veterinary medical examiners if the obligor is a veterinarian**, or the professional standards board if the obligor is a licensed teacher that the obligor is delinquent.

(h) When the Title IV-D agency finds that an obligor who holds a license issued under IC 4-31-6 or IC 4-33 has failed to:

- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or

(3) request a hearing under section 35 of this chapter;
the Title IV-D agency shall issue an order to the Indiana horse racing commission if the obligor holds a license issued under IC 4-31-6, or to the Indiana gaming commission if the obligor holds a license issued under IC 4-33, stating that the obligor is delinquent and directing the commission to impose the appropriate sanctions described in IC 4-31-6-11 or IC 4-33-8.5-3.

(i) When the Title IV-D agency finds that an obligor who holds a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has failed to:

- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or

(3) request a hearing under section 35 of this chapter;
the Title IV-D agency shall issue an order to the commissioner of the department of insurance stating that the obligor is delinquent and directing the commissioner to impose the appropriate sanctions described in IC 27-1-15.6-29 or IC 27-10-3-20.

(j) When the Title IV-D agency finds that an obligor who holds a license issued by the department of natural resources under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3 has failed to:

- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding

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1 order under IC 31-16-15-2; or
 2 (3) request a hearing under section 35 of this chapter;
 3 the Title IV-D agency shall issue an order to the director of the
 4 department of natural resources stating that the obligor is delinquent
 5 and directing the director to suspend or revoke a license issued to the
 6 obligor by the department of natural resources as provided in
 7 IC 14-11-3.

8 SECTION 4. IC 15-5-1.1-2, AS AMENDED BY P.L.71-2000,
 9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2005]: Sec. 2. As used in this chapter:

11 "Accredited college of veterinary medicine" means a veterinary
 12 college or division of a university or college that:

- 13 (1) offers the degree doctor of veterinary medicine or its
 14 equivalent;
- 15 (2) conforms to the standards required for accreditation by the
 16 American Veterinary Medical Association; and
- 17 (3) is accredited by the American Veterinary Medical Association
 18 or an accrediting agency that has been approved by the United
 19 States Department of Education or its successor.

20 "Animal" means any animal other than man and includes birds, fish,
 21 mammals, and reptiles, wild or domestic.

22 "Approved program" means a program in veterinary technology
 23 that:

- 24 (1) conforms to the standards required for accreditation by the
 25 American Veterinary Medical Association; and
- 26 (2) is accredited by the American Veterinary Medical Association
 27 or an accrediting agency that has been approved by the United
 28 States Department of Education or its successor.

29 "Board" means the Indiana board of veterinary medical examiners
 30 created by this chapter.

31 "~~Bureau~~" refers to the health professions bureau established by
 32 ~~IC 25-1-5-3.~~

33 "ECFVG certificate" means a certificate issued by the American
 34 Veterinary Medical Association Educational Commission for Foreign
 35 Veterinary Graduates, indicating that the holder has demonstrated
 36 knowledge and skill equivalent to that possessed by a graduate of an
 37 accredited college of veterinary medicine.

38 "**Executive secretary**" refers to the state veterinarian.

39 "Extern" means a senior veterinary student enrolled in an accredited
 40 college of veterinary medicine, or a second year student enrolled in an
 41 approved program in veterinary technology, employed by or working
 42 with a licensed veterinarian and under ~~his~~ **the licensed veterinarian's**

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direct supervision.

"Licensed veterinarian" means an individual who is licensed pursuant to this chapter to practice veterinary medicine in ~~this state~~.
Indiana.

"Person" means an individual, an incorporated or unincorporated organization or association or a group of such persons acting in concert.

"Practitioner" means an individual who holds:

(1) a license, special permit, or registration; or

(2) a probationary license, special permit, or registration; issued by the board.

"Practice of veterinary medicine" means:

(1) representing oneself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry in any of its branches or using words, letters, or titles in a connection or under circumstances that may induce another person to believe that the person using them is engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry;

(2) accepting remuneration for doing any of the things described in subdivisions (3) through (6);

(3) diagnosing a specific disease or injury, or identifying and describing a disease process of animals, or performing any procedure for the diagnosis of pregnancy, sterility, or infertility upon animals;

(4) prescribing a drug, medicine, **an** appliance or application, or treatment of whatever nature for the prevention, cure, or relief of bodily injury or disease of animals;

(5) performing a surgical or dental operation upon an animal; or

(6) administering a drug, medicine, **an** appliance, **an** application, or **a** treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, or bodily injury or disease of animals, except where such drug, medicine, appliance, application, or treatment is administered at the direction and under the direct supervision of a veterinarian licensed under this chapter.

"Registered veterinary technician" means a veterinary technician registered pursuant to this chapter to work under the direct supervision of a licensed veterinarian.

"Veterinarian" means an individual who was a licensed veterinarian on August 31, 1979, or who has received a professional degree from an accredited college of veterinary medicine.

"Veterinary medicine" includes veterinary surgery, obstetrics, dentistry, acupuncture, and all other branches or specialties of

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1 veterinary medicine.

2 "Veterinary technician" means an individual who has successfully
3 completed a program in veterinary technology of at least two (2) years
4 in a school that conforms to the standards required for accreditation by
5 the American Veterinary Medical Association and that is accredited by
6 the American Veterinary Medical Association.

7 SECTION 5. IC 15-5-1.1-6 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) The board shall
9 hold an annual meeting in Indianapolis and other regular meetings
10 during each year and at such places as it may fix.

11 (b) The board may hold such special meetings as it deems
12 necessary. The chairman or two (2) members of the board may call a
13 special meeting.

14 (c) Four (4) members of the board constitute a quorum.

15 (d) All meetings shall be open and public except that the board may
16 meet in closed session to prepare, approve, administer, or grade
17 examinations, or to deliberate the qualifications of an applicant for
18 license or registration or the disposition of a proceeding to discipline
19 a licensed veterinarian or registered veterinary technician.

20 (e) Minutes of each regular and special meeting shall be compiled
21 and kept as a permanent record in the same office as other records of
22 the board are kept. The ~~responsibility for~~ **executive secretary of the**
23 **board is responsible for** the care and safekeeping of ~~such the~~ minutes.
24 ~~shall devolve upon the bureau.~~

25 (f) Each member of the board is entitled to reimbursement for
26 traveling and other expenses as provided in the state travel policies and
27 procedures established by the department of administration and
28 approved by the state budget agency.

29 SECTION 6. IC 15-5-1.1-7 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) At its annual
31 meeting the board shall elect a chairman and vice chairman and such
32 other officers as it may determine. Such officers shall serve for terms
33 of one (1) year or until a successor is elected. There is no limitation on
34 the number of terms an officer may serve.

35 (b) The state veterinarian ~~shall be~~ **is the executive secretary and**
36 technical advisor of the board.

37 (c) The duties of the ~~bureau~~ **executive secretary** include:

- 38 (1) corresponding for the board;
- 39 (2) keeping accounts and records of all receipts and
- 40 disbursements by the board;
- 41 (3) keeping records of all applications for license or registration;
- 42 (4) keeping a register of all persons currently licensed or

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1 registered by the board; ~~and~~

2 (5) keeping permanent records of all board proceedings; **and**

3 **(6) performing duties delegated to the executive secretary by**
4 **the board.**

5 SECTION 7. IC 15-5-1.1-8, AS AMENDED BY P.L.269-2001,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2005]: Sec. 8. (a) The powers enumerated in this section are
8 granted for the purpose of enabling the board to effectively supervise
9 the practice of veterinary medicine and are to be construed liberally to
10 accomplish this objective.

11 (b) The board is vested with the sole authority to determine the
12 qualifications of applicants for:

13 (1) a license to practice veterinary medicine in ~~this state;~~
14 **Indiana;** and

15 (2) registration to practice as a veterinary technician in ~~this state;~~
16 **Indiana.**

17 (c) The board is vested with the sole authority to issue, renew, deny,
18 suspend, or revoke:

19 (1) licenses and special permits to practice veterinary medicine in
20 this state; and

21 (2) registrations or special permits to practice as a veterinary
22 technician in ~~this state;~~ **Indiana.**

23 (d) The board is vested with sole authority to discipline licensed
24 veterinarians and registered veterinary technicians consistent with the
25 provisions of this chapter and the rules adopted thereunder.

26 (e) The board is vested with the sole authority to determine the
27 following:

28 (1) The examinations applicants are required to take.

29 (2) The subjects to be covered.

30 (3) The places where and the dates on which examinations will be
31 given.

32 (4) The deadlines for applying to take the examinations.

33 (f) The board may establish by rule minimum standards of
34 continuing education for the renewal of licenses to practice veterinary
35 medicine and for the renewal of registrations as a veterinary technician.
36 The rules adopted under this subsection must comply with IC 25-1-4-3.

37 (g) The board shall adopt by rule standards of professional conduct
38 for the competent practice of veterinary medicine and the competent
39 practice of a veterinary technician.

40 (h) ~~Subject to IC 25-1-7, To carry out the duties of the board, may~~
41 ~~conduct investigations for including the purpose investigation of~~
42 ~~discovering violations of under~~ this chapter,

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(1) by licensed veterinarians or registered veterinary technicians;
 or
 (2) by persons practicing veterinary medicine without a license or
 persons practicing as a registered veterinary technician without
 being registered.

**the board may enter into agreements with the Indiana state board
 of animal health established by IC 15-2.1-3-1 to use facilities,
 equipment, personnel, or resources of the Indiana state board of
 animal health.**

(i) The board may inspect, without notice and during normal
 working hours, veterinary hospitals, clinics, or other establishments to
 determine if such places meet the board's standards of cleanliness and
 sanitation as defined by the board's rules.

(j) The board may hold hearings on all matters properly brought
 before it and in connection thereto may administer oaths, receive
 evidence, make findings, and enter orders consistent with the findings.
 The board may require by subpoena the attendance and testimony of
 witnesses and the production of papers, records, or other documentary
 evidence and commission depositions. The board may designate one
 (1) or more of its members to serve as its hearing officer.

(k) The board may bring proceedings in the courts for the
 enforcement of this chapter or any rules made pursuant thereto.

(l) The board ~~shall~~ **may** have fees collected for examining and
 licensing veterinarians and for examining and registering veterinary
 technicians.

(m) The board may enter into reciprocal agreements with its
 counterpart boards in other states and may effect such agreements by
 rule.

(n) The board may appoint from its own membership one (1) or
 more members to act as representatives of the board at any meeting
 within or without the state where such representation is deemed
 desirable.

(o) The ~~bureau shall provide the board with~~ **may employ or
 contract with** full or part-time professional and clerical personnel ~~and
 supplies including printed matter and equipment~~ necessary to
 effectuate the provisions of this chapter.

(p) The board may, in the manner prescribed by IC 4-22-2, adopt
 such reasonable rules as it deems necessary for the performance of its
 duties, consistent with this chapter and other applicable laws of this
 state. Any rule adopted under, and applicable to, the prior veterinarian
 and veterinary technician licensing and registration laws (IC 15-5-1
 and IC 15-5-1.5) continues in effect under this chapter until rescinded

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or amended by the board.

(q) The board may adopt an appropriate seal which may be affixed to all license and registration certificates and other official documents of the board.

(r) The board is a regulatory board within the meaning of IC 25-1-3-1.

SECTION 8. IC 15-5-1.1-8.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 8.2. (a) A complaint against a person licensed under this chapter must be in writing and signed by the complainant before it may be filed with the board. The board or a member of the board may file a complaint. An employee of the office of the attorney general acting in the employee's official capacity may not file a complaint under this chapter.**

(b) The board shall designate a complaint officer for the board. If the board receives a complaint, the complaint officer shall review the complaint and determine whether to investigate the complaint based on the likely merits of the complaint. The complaint officer may be a member or a committee of the board.

(c) If the complaint officer chooses to investigate the complaint under subsection (b), the board shall, by any reasonable means, notify a licensee who is the subject of the complaint of the investigation.

(d) The board is responsible for the investigation of complaints against individuals licensed under this chapter and individuals alleged to have been practicing veterinary medicine without a license or practicing as a registered veterinary technician without being registered. The board may:

- (1) refer complaints to the office of the attorney general for investigation;**
- (2) instruct the complaint officer to investigate complaints or refer complaints for investigation; or**
- (3) enter into an agreement with the Indiana state board of animal health under section 8 of this chapter to investigate complaints.**

The scope of an investigation conducted under this chapter must be limited to allegations in a written complaint filed with the board under this section that suggest apparent violations of laws or rules enforced by the board.

(e) To investigate a complaint or prosecute a violation under this chapter, the board may:

- (1) subpoena witnesses;**

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(2) request the production of books, records, papers, and documents; and

(3) commission depositions.

A circuit or superior court with jurisdiction in the county in which the subpoena is issued shall enforce a properly issued subpoena upon request of the board.

(f) The board shall receive information from investigations conducted under this chapter. The board shall review and make a determination on each matter investigated. The board may:

(1) return the matter to the complaint officer or the investigator for additional information and investigation;

(2) refer the matter to the attorney general for prosecution;

(3) resolve the matter by accepting a settlement proposed by the complainant and the accused;

(4) enter into a settlement with the accused; or

(5) find the complaint is without merit, moot, or otherwise unfit for prosecution.

Prosecutions before the board shall be conducted under IC 4-21.5.

(g) At a hearing, the board or the hearing officer may call witnesses in addition to those presented by the state or the licensee. A board member may not adjudicate a matter if the member filed the complaint or participated in negotiations related to the complaint. A hearing officer may not be disqualified from participating in the board's final determination solely because of the individual's status as the hearing officer.

SECTION 9. IC 15-5-1.1-8.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 8.3.** Unless disclosure is required by law or is in furtherance of an investigation, complaints and information pertaining to complaints are confidential until an investigation is brought before the board for a determination under section 8.2(f) of this chapter.

SECTION 10. IC 15-5-1.1-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 8.5.** The board may not issue a license or registration to a person who is a resident of Indiana if a governmental agency provides the board with evidence proving the person has not paid all the person's personal property taxes.

SECTION 11. IC 15-5-1.1-8.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 8.6.** (a) Except as provided under subsections (b) and (c), a license or certificate of registration that

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an individual is required to hold under this chapter may not be denied, revoked, or suspended because the applicant or holder is convicted of an offense. However, the acts from which the applicant's or holder's conviction results may be considered as to whether the applicant or holder may be entrusted to serve the public in a specific capacity.

(b) The board may suspend or revoke a license or certificate issued under this chapter if the individual who holds the license or certificate is convicted of any of the following:

- (1) Possession of cocaine, a narcotic drug, or methamphetamine under IC 35-48-4-6.
- (2) Possession of a controlled substance under IC 35-48-4-7(a).
- (3) Fraudulently obtaining a controlled substance under IC 35-48-4-7(b).
- (4) Manufacture of paraphernalia as a Class D felony under IC 35-48-4-8.1(b).
- (5) Dealing in paraphernalia as a Class D felony under IC 35-48-4-8.5(b).
- (6) Possession of paraphernalia as a Class D felony under IC 35-48-4-8.3(b).
- (7) Possession of marijuana, hash oil, or hashish as a Class D felony under IC 35-48-4-11.
- (8) Maintaining a common nuisance under IC 35-48-4-13.
- (9) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.
- (10) Conspiracy under IC 35-41-5-2 to commit an offense listed in subdivisions (1) through (9).
- (11) Attempt under IC 35-41-5-1 to commit an offense listed in subdivisions (1) through (9).
- (12) An offense in another jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under subdivisions (1) through (11).

(c) The board shall revoke or suspend a license or certificate issued under this chapter if the individual who holds the license or certificate is convicted of any of the following:

- (1) Dealing or manufacturing cocaine, a narcotic drug, or methamphetamine under IC 35-48-4-1.
- (2) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.
- (3) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

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(4) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(5) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5.

(6) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(7) Dealing in a counterfeit substance under IC 35-48-4-5.

(8) Dealing in marijuana, hash oil, or hashish under IC 35-48-4-10(b).

(9) Conspiracy under IC 35-41-5-2 to commit an offense listed in subdivisions (1) through (8).

(10) Attempt under IC 35-41-5-1 to commit an offense listed in subdivisions (1) through (8).

(11) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under subdivisions (1) through (10).

(12) A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

SECTION 12. IC 15-5-1.1-8.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8.7. (a) As used in this section, "bureau" means the child support bureau of the division of family and children established by IC 12-17-2-5.

(b) As used in this section, "delinquent" means at least:

- (1) two thousand dollars (\$2,000); or
- (2) three (3) months;

past due on payment of court ordered child support.

(c) Upon receiving an order of a court issued under IC 31-14-12-5 or IC 31-16-12-8, the board shall:

- (1) suspend the license, registration, or permit of the practitioner; or
- (2) deny the application of the applicant;

who is the subject of the order.

(d) Upon receiving an order of a court issued under IC 31-14-12-5 or IC 31-16-12-8, the board shall promptly mail a notice to the last known address of the person who is the subject of the order, stating the following:

- (1) That the practitioner's license, registration, or permit has

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1 been suspended, beginning five (5) business days after the date
 2 the notice is mailed, and that the suspension terminates ten
 3 (10) business days after the board receives an order allowing
 4 reinstatement from the court that issued the suspension order.

5 (2) That the practitioner has the right to petition the court
 6 that issued the order for suspension for reinstatement of the
 7 practitioner's license, registration, or permit.

8 (e) The board may not reinstate a license, registration, or permit
 9 suspended under this section until the board receives an order
 10 allowing reinstatement from the court that issued the order for
 11 suspension.

12 (f) The board shall, upon receiving an order from the bureau
 13 under IC 12-17-2-34(e), send a notice to the practitioner identified
 14 by the bureau that does the following:

15 (1) Specifies that the practitioner is delinquent and is subject
 16 to an order placing the practitioner on probationary status.

17 (2) Describes the amount of child support that the practitioner
 18 is in arrears.

19 (3) Explains that unless the practitioner contacts the bureau
 20 and:

21 (A) pays the practitioner's child support arrearage in full;

22 (B) requests the activation of an income withholding order
 23 under IC 31-16-15-2 and establishes a payment plan with
 24 the bureau to pay the arrearage; or

25 (C) requests a hearing under IC 12-17-2-35;

26 within twenty (20) days after the date the notice is mailed, the
 27 board shall place the practitioner on probationary status.

28 (4) Explains that the practitioner may contest the bureau's
 29 determination that the practitioner is delinquent and subject
 30 to an order placing the practitioner on probationary status by
 31 making written application to the bureau within twenty (20)
 32 days after the date the notice is mailed.

33 (5) Explains that the only basis for contesting the bureau's
 34 determination that the practitioner is delinquent and subject
 35 to an order placing the practitioner on probationary status is
 36 a mistake of fact.

37 (6) Explains the procedures to:

38 (A) pay the practitioner's child support arrearage in full;

39 (B) establish a payment plan with the bureau to pay the
 40 arrearage;

41 (C) request the activation of an income withholding order
 42 under IC 31-16-15-2; and

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(D) request a hearing under IC 12-17-2-35.

(7) Explains that the probation terminates ten (10) business days after the board receives a notice from the bureau that the practitioner has:

(A) paid the practitioner's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage and requested the activation of an income withholding order under IC 31-16-15-2.

(g) If the board is advised by the bureau that the practitioner requested a hearing and failed to appear or appeared and was found to be delinquent, the board shall promptly mail a notice to the practitioner who is the subject of the order stating the following:

(1) That the practitioner's license, registration, or permit has been placed on probationary status, beginning five (5) business days after the date the notice is mailed, and that the probation terminates ten (10) business days after the board receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage and requested the activation of an income withholding order under IC 31-16-15-2.

(2) That if the board is advised by the bureau that the practitioner whose license, registration, or permit has been placed on probationary status has failed to:

(A) pay the person's child support arrearage in full; or

(B) establish a payment plan with the bureau to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2;

within twenty (20) days after the date the notice is mailed, the board shall suspend the practitioner's license, registration, or permit.

(h) If the board is advised by the bureau that the practitioner whose license has been placed on probationary status has failed to:

(1) pay the person's child support arrearage in full; or

(2) establish a payment plan with the bureau to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2;

within twenty (20) days after the date the notice is mailed, the board shall suspend the practitioner's license.

(i) The board may not reinstate a license or permit of a

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practitioner placed on probation or suspended under this section until the board receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage and requested the activation of an income withholding order under IC 31-16-15-2.

SECTION 13. IC 15-5-1.1-8.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8.8. (a) The board may allow the department of state revenue access to the name of a person who:

- (1) is licensed under this chapter; or
- (2) has applied for a license under this chapter.

(b) If the department of state revenue notifies the board that a person is on the most recent tax warrant list, the board may not issue or renew the person's license until:

- (1) the person provides to the board a statement from the department of state revenue that the person's delinquent tax liability has been satisfied; or
- (2) the board receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).

SECTION 14. IC 15-5-1.1-12, AS AMENDED BY P.L.71-2000, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. (a) The board shall hold at least one (1) examination for licensing veterinarians and one (1) examination for registering veterinary technicians each year but it may hold more. The ~~bureau~~ board shall give notice of the time and place for each examination at least ninety (90) days in advance of the date set for the examination. A person desiring to take an examination must make application not later than the time the board may prescribe under section 8(e) of this chapter.

(b) The preparation, administration, and grading of examinations shall be approved by the board. Examinations shall be designed to test the examinee's knowledge of and proficiency in the subjects and techniques commonly taught in veterinary schools. To pass the examination, the examinee must demonstrate scientific and practical knowledge sufficient to prove to the board that the examinee is competent to practice veterinary medicine or to act as a veterinary technician, as the case may be. The board may adopt and use examinations approved by the National Board Examination Committee.

(c) To qualify for a license as a veterinarian or to be registered as a veterinary technician, the applicant must attain a passing score in the

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1 examinations.

2 (d) After the examinations, the ~~bureau~~ **board** shall notify each
3 examinee of the result of the examinee's examinations and the board
4 shall issue a license or registration certificate, as appropriate, to each
5 individual who successfully completes the examinations and is
6 otherwise qualified. The ~~bureau~~ **board** shall keep a permanent record
7 of the issuance of each license or registration certificate.

8 (e) An individual who fails to pass the required examinations may
9 apply to take a subsequent examination. However, payment of the
10 examination fee shall not be waived.

11 (f) A license or registration certificate issued under this article is
12 valid for the remainder of the renewal period in effect on the date of
13 issuance.

14 SECTION 15. IC 15-5-1.1-15.1, AS AMENDED BY P.L.32-2000,
15 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2005]: Sec. 15.1. (a) The board may refuse to issue a
17 registration or may issue a probationary registration to an applicant for
18 registration as a veterinary technician under this chapter if **the**
19 **applicant has been:**

20 (1) ~~the applicant has been~~ disciplined by a licensing entity of
21 another state or jurisdiction; and
22 (2) ~~the violation for which the applicant was disciplined~~ **engaged**
23 **in conduct in another state or jurisdiction that** has a direct
24 bearing on the applicant's ability to competently practice as a
25 veterinary technician in Indiana.

26 (b) Whenever issuing a probationary registration under this section,
27 the board may impose any or a combination of the following
28 conditions:

29 (1) Report regularly to the board upon the matters that are the
30 basis of the discipline of the other state or jurisdiction.
31 (2) Limit practice to those areas prescribed by the board.
32 (3) Continue or renew professional education.
33 (4) Engage in community restitution or service without
34 compensation for a number of hours specified by the board.

35 (c) The board shall remove any limitations placed on a probationary
36 registration issued under this section if the board finds after a hearing
37 that the deficiency that required disciplinary action has been remedied.

38 (d) This section does not apply to an individual who currently holds
39 a registration certificate under this chapter.

40 SECTION 16. IC 15-5-1.1-17 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 17. (a) A license issued
42 under this chapter is valid until the next renewal date described under

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subsection (b).

(b) All licenses expire on October 15 in each odd-numbered year but may be renewed by application to the board and payment of the proper renewal fee. ~~In accordance with IC 25-1-5-4(c);~~ The ~~bureau~~ **board** shall mail a sixty (60) day notice of expiration to each licensed veterinarian and provide the veterinarian with a form for renewal. The ~~bureau~~ **board** shall issue a license renewal to each individual licensed under this chapter if the proper fee has been received and all other requirements for renewal of the license have been satisfied. Failure to renew a license on or before the expiration date automatically renders the license invalid without any action by the board.

SECTION 17. IC 15-5-1.1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 18. (a) A registration certificate issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All registration certificates expire on January 1 of each even-numbered year but may be renewed by application to the board and payment of the proper renewal fee. ~~In accordance with IC 25-1-5-4(c);~~ The ~~bureau~~ **board** shall mail a sixty (60) day notice of expiration to each registered veterinary technician and provide the veterinary technician with a form for renewal. The ~~bureau~~ **board** shall issue a registration certificate renewal to each individual registered under this chapter, provided the proper fee has been received and all other requirements for renewal of the registration certificate have been satisfied. Failure to renew a registration certificate on or before the expiration date automatically renders the license invalid without any action by the board.

SECTION 18. IC 15-5-1.1-19, AS AMENDED BY P.L.71-2000, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 19. (a) An individual who practices veterinary medicine after the individual's license has expired, been revoked, or been placed on inactive status or an individual who acts as a registered veterinary technician after the individual's registration has expired, been revoked, or been placed on inactive status is in violation of this chapter.

(b) A veterinarian may renew an expired license or a veterinary technician may renew an expired registration certificate within five (5) years of the date of expiration by making written application for renewal and paying the fee established by rules as provided in section 20.2 of this chapter. ~~After five (5) years have elapsed since the date of the expiration of a license or a registration certificate it may not be renewed; but the person may make application for a new license or~~

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1 registration certificate and take the appropriate examinations. The
 2 board may adopt rules under IC 4-22-2 establishing the following:

3 (1) Continuing education requirements that must be met
 4 before an expired license or registration may be renewed.

5 (2) Prerequisites or conditions for the renewal of a license that
 6 has been expired for at least five (5) years.

7 (c) To have a license or registration placed on inactive status, a
 8 licensed veterinarian or registered veterinarian technician must notify
 9 the board in writing of the veterinarian's or technician's desire to have
 10 the license or registration placed on inactive status. The board shall
 11 waive the continuing education requirements, if any, and payment of
 12 the renewal fee during the period the board places the license or
 13 registration of a veterinarian or technician on inactive status. A license
 14 or registration may be placed on inactive status during the period:

15 (1) the veterinarian or technician is on active duty with any
 16 branch of the armed services of the United States;

17 (2) the veterinarian or technician is in the Peace Corps;

18 (3) the veterinarian or technician is in an alternative service
 19 during a time of national emergency;

20 (4) the veterinarian or technician is suffering from a severe
 21 medical condition that would prevent the veterinarian or
 22 technician from meeting the requirements of the board; or

23 (5) after the veterinarian or technician retires; or

24 (6) established by rules adopted under IC 4-22-2 by the board.

25 A veterinarian or technician who is retired and on inactive status may
 26 not maintain an office or otherwise practice veterinary medicine. The
 27 board may adopt rules under IC 4-22-2 that establish prerequisites or
 28 conditions for the reactivation of an inactive license or registration.

29 SECTION 19. IC 15-5-1.1-20.2 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 20.2. The board shall
 31 may establish by rule rules adopted under IC 25-1-8 IC 4-22-2 fees
 32 sufficient to implement this chapter. The fees established under this
 33 section shall be charged and collected by the board or the
 34 board's designee.

35 SECTION 20. IC 15-5-1.1-37 IS ADDED TO THE INDIANA
 36 CODE AS A NEW SECTION TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2005]: Sec. 37. (a) Except as provided in
 38 subsections (b) and (c), the board shall adopt rules under IC 4-22-2
 39 that subject the board and individuals licensed under this chapter
 40 to the same sanctions, procedures, and standards of practice as
 41 those required by IC 25-1-9, including the notice provisions for a
 42 summary suspension of a license under IC 25-1-9-10(b) and

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1 IC 25-1-9-10(c), except to the extent the procedures and standards
2 specifically do not apply to the practice of veterinary medicine.

3 (b) Rules adopted under subsection (a) must require the board
4 to perform the same functions as are performed under IC 25-1-9
5 by the consumer protection division of the office of the attorney
6 general and the health professions bureau.

7 (c) The board may adopt rules under IC 4-22-2 providing
8 informal procedures designed to simplify the settlement of matters
9 in a manner that reduces the need for formal procedures. Rules
10 adopted under this subsection must be consistent with IC 4-21.5.

11 SECTION 21. IC 23-1.5-1-5 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. "Bureau" means the
13 following:

14 (1) In the case of an accounting professional, the Indiana
15 professional licensing agency established under IC 25-1-6-3.

16 (2) In the case of an architectural or engineering professional, the
17 Indiana professional licensing agency established under
18 IC 25-1-6-3.

19 (3) In the case of an attorney, the state board of law examiners.

20 (4) In the case of a health care professional, the health professions
21 bureau established under IC 25-1-5-3.

22 (5) In the case of a veterinarian, the ~~health professions bureau~~
23 **Indiana board of veterinary medical examiners** established
24 under ~~IC 25-1-5-3~~ **IC 15-5-1.1-3**.

25 (6) In the case of a real estate professional, the Indiana
26 professional licensing agency established under IC 25-1-6-3.

27 SECTION 22. IC 23-1.5-1-14 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 14. "Veterinarian"
29 means an individual admitted to practice veterinary medicine under
30 ~~IC 15-5-1.1-11~~ **IC 15-5-1.1**.

31 SECTION 23. IC 25-1-2-2.1, AS AMENDED BY P.L.145-2003,
32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2004]: Sec. 2.1. Rather than being issued annually, the
34 following permits, licenses, certificates of registration, or evidences of
35 authority granted by a state agency must be issued for a period of two
36 (2) years or for the period specified in the article under which the
37 permit, license, certificate of registration, or evidence of authority is
38 issued if the period specified in the article is longer than two (2) years:

39 (1) Certified public accountants, public accountants, and
40 accounting practitioners.

41 (2) Architects and landscape architects.

42 (3) Dry cleaners.

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- 1 (4) Professional engineers.
- 2 (5) Land surveyors.
- 3 (6) Real estate brokers.
- 4 (7) Real estate agents.
- 5 (8) Security dealers' licenses issued by the securities
- 6 commissioner.
- 7 (9) Dental hygienists.
- 8 (10) Dentists.
- 9 ~~(11) Veterinarians.~~
- 10 ~~(12)~~ (11) Physicians.
- 11 ~~(13)~~ (12) Chiropractors.
- 12 ~~(14)~~ (13) Physical therapists.
- 13 ~~(15)~~ (14) Optometrists.
- 14 ~~(16)~~ (15) Pharmacists and assistants, drugstores, or pharmacies.
- 15 ~~(17)~~ (16) Motels and mobile home park licenses.
- 16 ~~(18)~~ (17) Nurses.
- 17 ~~(19)~~ (18) Podiatrists.
- 18 ~~(20)~~ (19) Occupational therapists and occupational therapy
- 19 assistants.
- 20 ~~(21)~~ (20) Respiratory care practitioners.
- 21 ~~(22)~~ (21) Social workers, marriage and family therapists, and
- 22 mental health counselors.
- 23 ~~(23)~~ (22) Real estate appraiser licenses and certificates issued by
- 24 the real estate appraiser licensure and certification board.
- 25 ~~(24)~~ (23) Wholesale legend drug distributors.
- 26 ~~(25)~~ (24) Physician assistants.
- 27 ~~(26)~~ (25) Dietitians.
- 28 ~~(27)~~ (26) Hypnotists.
- 29 ~~(28)~~ (27) Athlete agents.
- 30 ~~(29)~~ (28) Manufactured home installers.
- 31 ~~(30)~~ (29) Home inspectors.

32 SECTION 24. IC 25-1-2-6, AS AMENDED BY P.L.145-2003,
 33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2004]: Sec. 6. (a) As used in this section, "license" includes
 35 all occupational and professional licenses, registrations, permits, and
 36 certificates issued under the Indiana Code, and "licensee" includes all
 37 occupational and professional licensees, registrants, permittees, and
 38 certificate holders regulated under the Indiana Code.

39 (b) This section applies to the following entities that regulate
 40 occupations or professions under the Indiana Code:

- 41 (1) Indiana board of accountancy.
- 42 (2) Indiana grain buyers and warehouse licensing agency.

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- 1 (3) Indiana auctioneer commission.
- 2 (4) Board of registration for architects and landscape architects.
- 3 (5) State board of barber examiners.
- 4 (6) State board of cosmetology examiners.
- 5 (7) Medical licensing board of Indiana.
- 6 (8) Secretary of state.
- 7 (9) State board of dentistry.
- 8 (10) State board of funeral and cemetery service.
- 9 (11) Worker's compensation board of Indiana.
- 10 (12) Indiana state board of health facility administrators.
- 11 (13) Committee of hearing aid dealer examiners.
- 12 (14) Indiana state board of nursing.
- 13 (15) Indiana optometry board.
- 14 (16) Indiana board of pharmacy.
- 15 (17) Indiana plumbing commission.
- 16 (18) Board of podiatric medicine.
- 17 (19) Private detectives licensing board.
- 18 (20) State board of registration for professional engineers.
- 19 (21) Board of environmental health specialists.
- 20 (22) State psychology board.
- 21 (23) Indiana real estate commission.
- 22 (24) Speech-language pathology and audiology board.
- 23 (25) Department of natural resources.
- 24 (26) State boxing commission.
- 25 (27) Board of chiropractic examiners.
- 26 (28) Mining board.
- 27 ~~(29)~~ Indiana board of veterinary medical examiners.
- 28 ~~(30)~~ (29) State department of health.
- 29 ~~(31)~~ (30) Indiana physical therapy committee.
- 30 ~~(32)~~ (31) Respiratory care committee.
- 31 ~~(33)~~ (32) Occupational therapy committee.
- 32 ~~(34)~~ (33) Social worker, marriage and family therapist, and
- 33 mental health counselor board.
- 34 ~~(35)~~ (34) Real estate appraiser licensure and certification board.
- 35 ~~(36)~~ (35) State board of registration for land surveyors.
- 36 ~~(37)~~ (36) Physician assistant committee.
- 37 ~~(38)~~ (37) Indiana dietitians certification board.
- 38 ~~(39)~~ (38) Indiana hypnotist committee.
- 39 ~~(40)~~ (39) Attorney general (only for the regulation of athlete
- 40 agents).
- 41 ~~(41)~~ (40) Manufactured home installer licensing board.
- 42 ~~(42)~~ (41) Home inspectors licensing board.

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~~(43)~~ **(42)** Any other occupational or professional agency created after June 30, 1981.

(c) Notwithstanding any other law, the entities included in subsection (b) shall send a notice of the upcoming expiration of a license to each licensee at least sixty (60) days prior to the expiration of the license. The notice must inform the licensee of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the entity, the licensee is not subject to a sanction for failure to renew if, once notice is received from the entity, the license is renewed within forty-five (45) days of the receipt of the notice.

SECTION 25. IC 25-1-4-0.3, AS ADDED BY P.L.269-2001, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 0.3. As used in section 3 of this chapter, "board" means any of the following:

- ~~(1)~~ **(1)** Indiana board of veterinary medical examiners ~~(IC 15-5-1-1)~~;
- ~~(2)~~ **(1)** Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(3)~~ **(2)** Board of chiropractic examiners (IC 25-10-1).
- ~~(4)~~ **(3)** State board of dentistry (IC 25-14-1).
- ~~(5)~~ **(4)** Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(6)~~ **(5)** Indiana state board of health facility administrators (IC 25-19-1).
- ~~(7)~~ **(6)** Committee on hearing aid dealer examiners (IC 25-20-1-1.5).
- ~~(8)~~ **(7)** Indiana hypnotist committee (IC 25-20.5-1-7).
- ~~(9)~~ **(8)** Medical licensing board of Indiana (IC 25-22.5-2).
- ~~(10)~~ **(9)** Indiana state board of nursing (IC 25-23-1).
- ~~(11)~~ **(10)** Occupational therapy committee (IC 25-23.5).
- ~~(12)~~ **(11)** Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- ~~(13)~~ **(12)** Indiana optometry board (IC 25-24).
- ~~(14)~~ **(13)** Indiana board of pharmacy (IC 25-26).
- ~~(15)~~ **(14)** Indiana physical therapy committee (IC 25-27-1).
- ~~(16)~~ **(15)** Physician assistant committee (IC 25-27.5).
- ~~(17)~~ **(16)** Board of podiatric medicine (IC 25-29-2-1).
- ~~(18)~~ **(17)** Board of environmental health specialists (IC 25-32).
- ~~(19)~~ **(18)** State psychology board (IC 25-33).
- ~~(20)~~ **(19)** Respiratory care committee (IC 25-34.5).
- ~~(21)~~ **(20)** Speech-language pathology and audiology board (IC 25-35.6-2).

SECTION 26. IC 25-1-5-3, AS AMENDED BY P.L.24-1999, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2004]: Sec. 3. (a) There is established the health professions bureau. The bureau shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- ~~(12) Indiana board of veterinary medical examiners (IC 15-5-1-1).~~
- ~~(13)~~ (12) Controlled substances advisory committee (IC 35-48-2-1).
- ~~(14)~~ (13) Committee of hearing aid dealer examiners (IC 25-20).
- ~~(15)~~ (14) Indiana physical therapy committee (IC 25-27).
- ~~(16)~~ (15) Respiratory care committee (IC 25-34.5).
- ~~(17)~~ (16) Occupational therapy committee (IC 25-23.5).
- ~~(18)~~ (17) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- ~~(19)~~ (18) Physician assistant committee (IC 25-27.5).
- ~~(20)~~ (19) Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(21)~~ (20) Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(22)~~ (21) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) Nothing in this chapter may be construed to give the bureau policy making authority, which authority remains with each board.

SECTION 27. IC 25-1-5-10, AS ADDED BY P.L.211-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 10. (a) As used in this section, "provider" means an individual licensed, certified, registered, or permitted by any of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).

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- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32-1).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- ~~(12) Indiana board of veterinary medical examiners (IC 15-5-1.1).~~
- ~~(13)~~ (12) Indiana physical therapy committee (IC 25-27).
- ~~(14)~~ (13) Respiratory care committee (IC 25-34.5).
- ~~(15)~~ (14) Occupational therapy committee (IC 25-23.5).
- ~~(16)~~ (15) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- ~~(17)~~ (16) Physician assistant committee (IC 25-27.5).
- ~~(18)~~ (17) Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(19)~~ (18) Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(20)~~ (19) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) The bureau shall create and maintain a provider profile for each provider described in subsection (a).

(c) A provider profile must contain the following information:

- (1) The provider's name.
- (2) The provider's license, certification, registration, or permit number.
- (3) The provider's license, certification, registration, or permit type.
- (4) The date the provider's license, certification, registration, or permit was issued.
- (5) The date the provider's license, certification, registration, or permit expires.
- (6) The current status of the provider's license, certification, registration, or permit.
- (7) The provider's city and state of record.
- (8) A statement of any disciplinary action taken against the provider within the previous ten (10) years by a board or committee described in subsection (a).

(d) The bureau shall make provider profiles available to the public.

(e) The computer gateway administered by the intelenet commission under IC 5-21-2 and known as Access Indiana shall make the information described in subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally available to the public on the Internet.

(f) The bureau may adopt rules under IC 4-22-2 to implement this

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1 section.

2 SECTION 28. IC 25-1-7-1, AS AMENDED BY P.L.145-2003,
3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2004]: Sec. 1. As used in this chapter:

5 "Board" means the appropriate agency listed in the definition of
6 regulated occupation in this section.

7 "Director" refers to the director of the division of consumer
8 protection.

9 "Division" refers to the division of consumer protection, office of
10 the attorney general.

11 "Licensee" means a person who is:

12 (1) licensed, certified, or registered by a board listed in this
13 section; and

14 (2) the subject of a complaint filed with the division.

15 "Person" means an individual, a partnership, a limited liability
16 company, or a corporation.

17 "Regulated occupation" means an occupation in which a person is
18 licensed, certified, or registered by one (1) of the following:

19 (1) Indiana board of accountancy (IC 25-2.1-2-1).

20 (2) Board of registration for architects and landscape architects
21 (IC 25-4-1-2).

22 (3) Indiana auctioneer commission (IC 25-6.1-2-1).

23 (4) State board of barber examiners (IC 25-7-5-1).

24 (5) State boxing commission (IC 25-9-1).

25 (6) Board of chiropractic examiners (IC 25-10-1).

26 (7) State board of cosmetology examiners (IC 25-8-3-1).

27 (8) State board of dentistry (IC 25-14-1).

28 (9) State board of funeral and cemetery service (IC 25-15-9).

29 (10) State board of registration for professional engineers
30 (IC 25-31-1-3).

31 (11) Indiana state board of health facility administrators
32 (IC 25-19-1).

33 (12) Medical licensing board of Indiana (IC 25-22.5-2).

34 (13) Indiana state board of nursing (IC 25-23-1).

35 (14) Indiana optometry board (IC 25-24).

36 (15) Indiana board of pharmacy (IC 25-26).

37 (16) Indiana plumbing commission (IC 25-28.5-1-3).

38 (17) Board of podiatric medicine (IC 25-29-2-1).

39 (18) Board of environmental health specialists (IC 25-32-1).

40 (19) State psychology board (IC 25-33).

41 (20) Speech-language pathology and audiology board
42 (IC 25-35.6-2).

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- (21) Indiana real estate commission (IC 25-34.1-2).
~~(22) Indiana board of veterinary medical examiners (IC 15-5-1.1).~~
~~(23)~~ **(22)** Department of natural resources for purposes of
 licensing water well drillers under IC 25-39-3.
~~(24)~~ **(23)** Respiratory care committee (IC 25-34.5).
~~(25)~~ **(24)** Private detectives licensing board (IC 25-30-1-5.1).
~~(26)~~ **(25)** Occupational therapy committee (IC 25-23.5).
~~(27)~~ **(26)** Social worker, marriage and family therapist, and
 mental health counselor board (IC 25-23.6).
~~(28)~~ **(27)** Real estate appraiser licensure and certification board
 (IC 25-34.1-8).
~~(29)~~ **(28)** State board of registration for land surveyors
 (IC 25-21.5-2-1).
~~(30)~~ **(29)** Physician assistant committee (IC 25-27.5).
~~(31)~~ **(30)** Indiana athletic trainers board (IC 25-5.1-2-1).
~~(32)~~ **(31)** Indiana dietitians certification board (IC 25-14.5-2-1).
~~(33)~~ **(32)** Indiana hypnotist committee (IC 25-20.5-1-7).
~~(34)~~ **(33)** Indiana physical therapy committee (IC 25-27).
~~(35)~~ **(34)** Manufactured home installer licensing board
 (IC 25-23.7).
~~(36)~~ **(35)** Home inspectors licensing board (IC 25-20.2-3-1).
~~(37)~~ **(36)** Any other occupational or professional agency created
 after June 30, 1981.

SECTION 29. IC 25-1-8-1, AS AMENDED BY P.L.145-2003,
 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 JULY 1, 2004]: Sec. 1. As used in this chapter, "board" means any of
 the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
 (2) Board of registration for architects and landscape architects
 (IC 25-4-1-2).
 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 (4) State board of barber examiners (IC 25-7-5-1).
 (5) State boxing commission (IC 25-9-1).
 (6) Board of chiropractic examiners (IC 25-10-1).
 (7) State board of cosmetology examiners (IC 25-8-3-1).
 (8) State board of dentistry (IC 25-14-1).
 (9) State board of funeral and cemetery service (IC 25-15).
 (10) State board of registration for professional engineers
 (IC 25-31-1-3).
 (11) Indiana state board of health facility administrators
 (IC 25-19-1).
 (12) Medical licensing board of Indiana (IC 25-22.5-2).

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- (13) Mining board (IC 22-10-1.5-2).
- (14) Indiana state board of nursing (IC 25-23-1).
- (15) Indiana optometry board (IC 25-24).
- (16) Indiana board of pharmacy (IC 25-26).
- (17) Indiana plumbing commission (IC 25-28.5-1-3).
- (18) Board of environmental health specialists (IC 25-32-1).
- (19) State psychology board (IC 25-33).
- (20) Speech-language pathology and audiology board (IC 25-35.6-2).
- (21) Indiana real estate commission (IC 25-34.1-2-1).
- ~~(22) Indiana board of veterinary medical examiners (IC 25-5-1.1-3).~~
- ~~(23)~~ (22) Department of insurance (IC 27-1).
- ~~(24)~~ (23) State police department (IC 10-11-2-4), for purposes of certifying polygraph examiners under IC 25-30-2.
- ~~(25)~~ (24) Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.
- ~~(26)~~ (25) Private detectives licensing board (IC 25-30-1-5.1).
- ~~(27)~~ (26) Occupational therapy committee (IC 25-23.5-2-1).
- ~~(28)~~ (27) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6-2-1).
- ~~(29)~~ (28) Real estate appraiser licensure and certification board (IC 25-34.1-8).
- ~~(30)~~ (29) State board of registration for land surveyors (IC 25-21.5-2-1).
- ~~(31)~~ (30) Physician assistant committee (IC 25-27.5).
- ~~(32)~~ (31) Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(33)~~ (32) Board of podiatric medicine (IC 25-29-2-1).
- ~~(34)~~ (33) Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(35)~~ (34) Indiana physical therapy committee (IC 25-27).
- ~~(36)~~ (35) Manufactured home installer licensing board (IC 25-23.7).
- ~~(37)~~ (36) Home inspectors licensing board (IC 25-20.2-3-1).
- ~~(38)~~ (37) Any other occupational or professional agency created after June 30, 1981.

SECTION 30. IC 25-1-9-1, AS AMENDED BY P.L.24-1999, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators

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- (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- ~~(12) Indiana board of veterinary medical examiners (IC 15-5-1.1).~~
- ~~(13)~~ (12) Indiana physical therapy committee (IC 25-27-1).
- ~~(14)~~ (13) Respiratory care committee (IC 25-34.5).
- ~~(15)~~ (14) Occupational therapy committee (IC 25-23.5).
- ~~(16)~~ (15) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- ~~(17)~~ (16) Physician assistant committee (IC 25-27.5).
- ~~(18)~~ (17) Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(19)~~ (18) Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(20)~~ (19) Indiana hypnotist committee (IC 25-20.5-1-7).

SECTION 31. IC 25-1-9-9, AS AMENDED BY P.L.211-2001, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 9. (a) The board may impose any of the following sanctions, singly or in combination, if it finds that a practitioner is subject to disciplinary sanctions under section 4, 5, 6, 6.7, or 6.9 of this chapter or IC 25-1-5-4:

- (1) Permanently revoke a practitioner's license.
- (2) Suspend a practitioner's license.
- (3) Censure a practitioner.
- (4) Issue a letter of reprimand.
- (5) Place a practitioner on probation status and require the practitioner to:
 - (A) report regularly to the board upon the matters that are the basis of probation;
 - (B) limit practice to those areas prescribed by the board;
 - (C) continue or renew professional education under a preceptor, or as otherwise directed or approved by the board, until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or
 - (D) perform or refrain from performing any acts, including community restitution or service without compensation, that the board considers appropriate to the public interest or to the

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rehabilitation or treatment of the practitioner.

(6) Assess a fine against the practitioner in an amount not to exceed one thousand dollars (\$1,000) for each violation listed in section 4 of this chapter, except for a finding of incompetency due to a physical or mental disability. When imposing a fine, the board shall consider a practitioner's ability to pay the amount assessed. If the practitioner fails to pay the fine within the time specified by the board, the board may suspend the practitioner's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the practitioner's inability to pay a fine.

(b) The board may withdraw or modify the probation under subsection (a)(5) if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order.

SECTION 32. IC 25-1-9-10, AS AMENDED BY P.L.71-2000, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 10. (a) The board may summarily suspend a practitioner's license for ninety (90) days before a final adjudication or during the appeals process if the board finds that a practitioner represents a clear and immediate danger to the public health and safety if the practitioner is allowed to continue to practice. The summary suspension may be renewed upon a hearing before the board, and each renewal may be for ninety (90) days or less.

(b) Before the board may summarily suspend a license that has been issued under ~~IC 15-5-1.1~~, IC 25-22.5 or IC 25-14, the consumer protection division of the attorney general's office shall make a reasonable attempt to notify a practitioner of a hearing by the board to suspend a practitioner's license and of information regarding the allegation against the practitioner. The consumer protection division of the attorney general's office shall also notify the practitioner that the practitioner may provide a written or an oral statement to the board on the practitioner's behalf before the board issues an order for summary suspension. A reasonable attempt to reach the practitioner is made if the consumer protection division of the attorney general's office attempts to reach the practitioner by telephone or facsimile at the last telephone number of the practitioner on file with the board.

(c) After a reasonable attempt is made to notify a practitioner under subsection (b):

(1) a court may not stay or vacate a summary suspension of a practitioner's license for the sole reason that the practitioner was not notified; and

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(2) the practitioner may not petition the board for a delay of the summary suspension proceedings.

SECTION 33. IC 31-14-12-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 5. If a court finds that a person who is an applicant (as defined in IC 25-1-1.2-1), a practitioner (as defined in IC 25-1-1.2-6), an attorney, **a licensed veterinarian (as defined in IC 15-5-1.1-2)**, or a licensed teacher is delinquent (as defined in IC 12-17-2-1.5) as a result of an intentional violation of an order for support, the court shall issue an order to the board regulating the practice of the person's profession or occupation:

(1) requiring that the person's or practitioner's license be suspended until further order of the court; or

(2) ordering the board not to issue a license to the person who is the subject of the order if the person does not currently hold a license.

SECTION 34. IC 31-16-12-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 8. If a court finds that a person who is an applicant (as defined in IC 25-1-1.2-1), a practitioner (as defined in IC 25-1-1.2-6), an attorney, **a licensed veterinarian (as defined in IC 15-5-1.1-2)**, or a licensed teacher is delinquent (as defined in IC 12-17-2-1.5) as a result of an intentional violation of an order for support, the court shall issue an order to the board regulating the practice of the person's profession or occupation:

(1) requiring that the person's or practitioner's license be suspended until further order of the court; or

(2) ordering the board not to issue a license to the person who is the subject of the order if the person does not currently hold a license.

SECTION 35. IC 33-1-16-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. As used in this section, "practitioner" means a person who holds a license. The term includes the following:

(1) An attorney.

(2) A person practicing an occupation or a profession that is licensed under **IC 15-5-1.1**, IC 27, or by a board referred to in IC 25-1-2-6(b).

SECTION 36. IC 34-52-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) Subject to any other statute governing reimbursement of fees and other expenses, this chapter applies to the reimbursement of the fees and other expenses incurred in preparing for or prosecuting:

(1) a proceeding under IC 4-21.5-5 to judicially review a final

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order made by a state agency;

(2) an appeal from a final determination made by the worker's compensation board;

(3) an appeal of a final determination made by the department of state revenue; or

(4) an appeal of a final determination made by the department of workforce development or the department of workforce development unemployment insurance review board.

(b) However, this chapter does not apply to an order or other determination:

(1) under:

(A) IC 16-27-1;

(B) IC 16-28;

(C) IC 16-29-1 (**repealed**);

(D) IC 16-30;

(E) IC 12-28-4; or

(F) IC 12-28-5;

(2) by ~~an agency~~ **a board** described by IC 25-1-8-1; ~~or~~

(3) by the board of podiatric medicine; **or**

(4) by the Indiana board of veterinary medical examiners.

SECTION 37. IC 25-1-9-6 IS REPEALED [EFFECTIVE JULY 1, 2005].

SECTION 38. [EFFECTIVE JULY 1, 2004] (a) **As used in this SECTION, "board" refers to the board of veterinary medical examiners.**

(b) **Notwithstanding IC 25-1-2-2.1, as amended by this act, a license or permit issued by the board may not be for a period longer than two (2) years.**

(c) **Notwithstanding IC 25-1-2-6, as amended by this act, the board shall send notice in accordance with IC 25-1-2-6(c).**

(d) **Notwithstanding IC 25-1-5-3, as amended by this act, the health professions bureau shall perform all administrative functions, duties, and responsibilities for the board that are assigned by law or rule.**

(e) **Notwithstanding IC 25-1-5-10, as amended by this act, the health professions bureau shall maintain a provider profile in accordance with IC 25-1-5-10(c) through (f) for each licensed veterinarian.**

(f) **Notwithstanding IC 25-1-7-1, as amended by this act, IC 25-1-7 applies to the investigation and prosecution of complaints of licensed veterinarians.**

(g) **Notwithstanding IC 25-1-8-1, as amended by this act,**

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- 1 **IC 25-1-8-2 through IC 25-1-8-6 apply to the board.**
- 2 **(h) Notwithstanding IC 25-1-9-1, IC 25-1-9-9, and IC 25-1-9-10,**
- 3 **all as amended by this act:**
- 4 **(1) the board has the powers and authority under IC 25-1-9;**
- 5 **and**
- 6 **(2) the standards of practice under IC 25-1-9-4 apply to a**
- 7 **licensed veterinarian.**
- 8 **(i) This SECTION expires July 1, 2005.**

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